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Breach Of Promise Action Pends In British Court

Application By Counsel For Plaintiff Follows
Failure Of Mr. Sansom To File Defence; 10
Days' Extension Of Time Given

A breach of promise action in H.M. Supreme Court, the parties being Miss Nadia Vassilevsky and Abraham Sansom, sub-inspector of the S.M.P., was the subject of an application before Judge Grant Jones yesterday when Mr. K. E. Newman, for the plaintiff, asked for judgment to be entered in favour of his client by default, the defendant having failed to file his statement of defence within the specified period.

It was later agreed that an extension of time for 10 days should be granted, Mr. H. A. Reeks, who is representing Mr. Sansom in the case, explaining that his client was in the Country Hospital, recovering from an operation for appendicitis.

Mr. Newman stated that his client was strictly entitled to enter judgment for the amount of the claim and costs, but he was content to ask for the delivery of the defence within seven days and for the costs of the present application, in any event.

Mr. Reeks said he was surprised by the application, as he was under the impression that Mr. Newman did not intend to press the motion. It was his submission that counsel could agree between themselves upon an extension of time, and he had received a letter from Mr. Newman, written on July 18, which asked for delivery of the defence within seven days, which gave him until July 25 to comply, that was to say, Saturday.

Visit To Hospital

He had been unable to take full instructions from Mr. Sansom, as he was in hospital. Counsel was not expected to visit a hospital to get instructions.

Judge Grant Jones: It is more your duty to visit a hospital than that a rule of court should be broken.

Mr. Newman said that his client was unable to go to the hospital and had been under the impression that Mr. Reeks proposed to wait until his client was out of hospital before attempting to file the defence. It was in these circumstances that the application was deemed necessary.

Mr. Reeks submitted that the defence would be filed as soon as the plaintiff's statement was filed. He also stated that his client was in the hospital and was unable to go to the hospital to get instructions.